SINGLE BENCH

(3)

(1)

C.S. 1001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 4857 /2005

Petitioner

Chandrashekhar Sahu, aged about 22 years, son of Shri G.P. Sahu, occupation – transporter, resident of Vidya Niwas, Kelo Vihar, Raigarh, Distt.Raigarh (Chhattisgarh)

P.R. No. 4916/05
Presented by Shri Roop Nath
dated 21/9/05

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through – Secretary, Department of Forest, Mantralay, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. Conservator of Forest, Bilaspur Division, Bilaspur (C.G.)

3. Sub Divisional Officer (Forests) Gharghoda, Tahsil Gharghoda, District Raigarh (Chhattisgarh)

4. The Forest Officer, Baraud Complex, Gharghoda Circle, Tahsil Gharghora, Distt. Raigarh (Chhattisgarh)

RECEIVED-COPY
21/9/05
CLERK to A. G. BILASPUR

13/9/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS.

(31)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 4857/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	05.10.2005 Shri Roop Naik, counsel for the petitioner. Shri Yashwant Singh, Govt. Advocate for respondents No. 1 to 4 on advance copy. With the consent of the parties, heard finally. Learned counsel for the petitioner submits that the truck bearing No. CG 13/A-1656 (Dumpher) was seized by the forest authority on 26.2.2005. He further submits that the aforesaid seizure is said to have been in connection with some forest offence. He also submits that from the date of seizure, the aforesaid truck of the petitioner is lying in idle condition in possession of the forest authorities of Gharghora Up Van Mandal, Gharghora. Learned counsel for the petitioner submits that the confiscation proceeding is going on in relation to the aforesaid truck since long back. Annexure-P/1 dated 19.3.2005 is a notice of confiscation proceeding issued by the competent authority of the forest department. He further submits that the petitioner regularly participates in the proceeding but the forest authority is not taking any interest for the early decision of the aforesaid proceedings. The same is lying pending since long back.	

SP/FS/2005 - 20,000

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.4857/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

The contention of learned counsel for the State is that the authority would try his level best to dispose of confiscation proceedings at the earliest possible date.

Learned counsel for the petitioner prays that some outer limit for termination of confiscation proceeding be fixed. He further submits that the evidence of both the parties isover and the proceeding is almost concluded and order is to be passed.

Considering the facts and circumstances of the case, particularly the statement made at bar, it is hereby directed that the competent authority of the forest department shall try to dispose of confiscation proceeding in relation to truck bearing No. CG 13/A-1656 (Dumpher) as early as possible preferably within the outer limit of two months from the date of filing of certified copy of this order before him.

The petition stands finally disposed of with the aforesaid directions.

Sd/-
Sunil Kumar Sinha
Judge

with

SP/FS/2005 - 20,000

7.10.05
12.1.06